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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/623,426	04/03/2001	Jesper Kristoffer Larsen	LARSEN1	5642

7590

11/19/2002

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EXAMINER

PRICE, RICHARD THOMAS JR

ART UNIT

PAPER NUMBER

3643

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/623,426

Applicant(s)

LARSEN, JESPER KRISTOFFER

Examiner

Thomas Price

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-65, 67, 68 and 70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-65, 67, 68 and 70 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1, 2, 19-22, 41, 45 and 46 are, drawn to breeding system with an open-air field enclosed by a fence, classified in class 119, subclass 416.
- II. Claims 1, 3, 15-22 and 45 are, drawn to a breeding system with a means for automatically identifying each animal, classified in class 119, subclass 416.
- III. Claims 1, 4, 5, 14, 19-22, 27 and 45 are, drawn to a breeding system with a means for automatically separating an identified animal, classified in class 119, subclass 416.
- IV. Claims 1, 6-8, 12, 13, 19-22, 30-33 and 45 are, drawn to a breeding system with a hut, classified in class 119, subclass 416.
- V. Claims 1, 19-26 and 45 are, drawn to a breeding system with a means for isolating an identified animal, classified in class 119, subclass 416.
- VI. Claims 1, 19-22, 28 and 45 are, drawn to a breeding system with a means for measuring the weight and body temperature of an identified animal, classified in class 119, subclass 416.
- VII. Claims 1, 19-22, 29 and 45 are, drawn to a breeding system with means for registering any possible medical treatment, classified in class 119, subclass 416.
- VIII. Claims 1, 19-22, 34-40, 45 and 47 are, drawn to a breeding system with a mud hole, classified in class 119, subclass 416.

- IX. Claims 1, 19-22, 42 , 43 and 45 are, drawn to a breeding system with facilities for slaughtering animals, classified in class 119, subclass 416.
- X. Claims 1, 19-22, 44 and 46 are, drawn to a breeding system with a means for detecting and selecting an animal for slaughter, classified in class 119, subclass 416.
- XI. Claims 1, 19-22, 45 and 48 are, drawn to a breeding system with a plurality of enclosures, classified in class 119, subclass 416.
- XII. Claims 1, 19-22, 45, 49-57, 67, 68 and 70 are, drawn to a breeding system with a means for performing an unique identification, classified in class 119, subclass 416.
- XIII. Claims 1, 19-22, 45 and 58-65 are, drawn to a breeding system with economic based rearing method, classified in class 119, subclass 416.

The inventions are distinct, each from the other because of the following reasons:

Inventions I-XIII are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, inventions II-XIII have separate utility from invention I such as a milking parlor. See MPEP § 806.05(d).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Price whose telephone number is 703-308-2694. The examiner can normally be reached on Mon, Tues, Thurs & Fri 6:30a.m. to 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on 703-308-2574. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


Thomas Price
Primary Examiner GAU: 3643

rtp
November 18, 2002